

U.S. Department of the Interior  
Bureau of Land Management  
Little Snake Field Office  
455 Emerson Street  
Craig, CO 81625-1129

## ENVIRONMENTAL ASSESSMENT

**EA NUMBER:** DOI-BLM-CO-N010-2010-0043-EA

**CASEFILE/ALLOTMENT NUMBER:** 0501089/04439

**PROJECT NAME:** Issuance of a grazing permit on the Yampa Allotment #04439.

**LEGAL DESCRIPTION:** see Allotment Map, Attachment 1

Yampa Allotment #04439

T6N R95W W ½ NW ¼, NE ¼ NW ¼ Sec. 1; E ½  
NE ¼ Sec. 2 (BLM parcel)  
T7N R95W por NW ¼ SE ¼ Sec. 35 (BLM parcel)

70 acres private  
561 acres State Land Board  
183 BLM  
814 acres total

**APPLICANT:** Qualified individual

**PLAN CONFORMANCE REVIEW:** The Proposed Action and Alternatives are subject to the following plan:

Name of Plan: Little Snake Resource Management Plan and Record of Decision

Date Approved: April 26, 1989

Results: The Proposed Action is consistent with the Little Snake Resource Management Plan, Record of Decision, Livestock Grazing Management objective to improve range conditions for both wildlife and livestock through proper utilization of key forage plants and adjusting livestock stocking rates as a result of vegetation studies.

The Proposed Action is located within Management Unit 8, Axial Basin. The Proposed Action is compatible with the management objective for this unit, which is to maintain and improve

critical habitats for mule deer, elk, and sage-grouse. The Proposed Action would not conflict with this objective.

**NEED FOR PROPOSED ACTION:** The Yampa Allotment #04439 is a vacant allotment available for grazing use by a qualified applicant. The previous permittee no longer owns or controls qualifying base property for the allotment. The applicant offered base property for that qualifies under 43 CFR 4110.2-1 (a). This permit is subject to issuance at the discretion of the Secretary of the Interior, who delegated the authority to BLM, for a period of up to ten years. The U.S. Bureau of Land Management has the authority to renew the livestock grazing permit/lease consistent with the provisions of the *Taylor Grazing Act*, *Public Rangelands Improvement Act*, *Federal Land Policy and Management Act*, and Little Snake Field Office's *Resource Management Plan/Environmental Impact Statement*. This Plan/EIS has been amended by *Standards for Public Land Health in the State of Colorado*.

The following Environmental Assessment will analyze the impacts of livestock grazing on public land managed by the BLM. The analysis will recommend terms and conditions to the permit/lease which improve or maintain public land health. The Proposed Action will be assessed for meeting land health standards.

In order to graze livestock on public land, the livestock producer (permittee/lessee) must hold a grazing permit/lease. The grazing permittee has a preference right to receive the permit if grazing is to occur. The land use plan allows grazing to occur on this parcel. This EA will be a site specific look to determine if grazing should be authorized as provided for in the land use plan and to identify the conditions under which it can be permitted.

**PUBLIC SCOPING PROCESS:** The Little Snake Field Office sent out a notice of availability of vacant grazing allotments on January 21, 2009 to interested and otherwise qualified individuals. A notice was also posted in the *Craig Daily Press* and the *Steamboat Pilot* on January 31 and February 7, 2009 to solicit interested parties to apply for authorizations to graze these allotments.

**BACKGROUND:** Until 1993, the Yampa Allotment #04439 was permitted to Don Steele. This permit was cancelled when Mr. Steele contacted the Little Snake Field Office and requested that the permit be cancelled. Since 1993, the allotment has been vacant, but available to any applicant with ownership or control of qualifying (adjacent) base property. On February 10, 2009, Darryl Steele responded to the notice of availability by submitting an application for this allotment based on his lease of qualifying base property from Devona Brannan.

The previous authorization was for 15 cattle from April 1 through May 30 for a total of 30 AUMs.

The Yampa Allotment #04439 is located approximately three miles east of Maybell, Colorado. It is located adjacent to and north of US Highway 40. The public lands within the allotment consist of a portion of a ridge just northerly of the confluence of Lay Creek and the Yampa River. Elevations range from approximately 6,200 feet along the top of the ridge to

approximately 6,000 feet along US Highway 40.

### **DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:**

#### **Proposed Action**

Issue a grazing permit on the vacant Yampa Allotment #04439 to a qualified applicant. This grazing permit would establish a preference tie to the qualifying base property. The permit would be issued with the following terms and conditions:

| Allotment     | Livestock     | Dates |       | %PL | AUMs |
|---------------|---------------|-------|-------|-----|------|
| Name & Number | Number & Kind | Begin | End   |     |      |
| Yampa #04439  | 12 Cattle     | 05/01 | 06/30 | 100 | 24   |

The above permit would be subject to the Standard and Common Terms and Conditions, see Attachment 2.

#### **No Action**

The application to issue a grazing permit would be denied and the allotment would remain vacant. It would continue to remain open to grazing use for other qualified applicants; therefore, for the purposes of this analysis, this alternative would be similar to the Proposed Action.

#### **Alternatives Considered but not Analyzed:**

NEPA requires federal agencies to rigorously explore and evaluate all reasonable alternatives and to briefly discuss the reasons for eliminating any alternatives that were not developed in detail (40 CFR 1502.14). As also required by NEPA, the range of alternatives considered in detail includes only those alternative that would fulfill the purpose and need for the Proposed Action.

#### **No Grazing Alternative**

No livestock grazing would take place under this alternative.

This alternative is eliminated from detailed study because it does not meet the requirements of the Federal Land Policy and Management Act of 1976. When the RMP was approved, it was determined that livestock grazing was an appropriate use of this land. Eliminating grazing is not analyzed because no new issues or concerns have been identified that would require this action.

## **AFFECTED ENVIRONMENT/ENVIRONMENTAL CONSEQUENCES/MITIGATION MEASURES**

### **CRITICAL RESOURCES**

#### **AIR QUALITY**

Affected Environment: There are five federal Class I areas within 100 kilometers of the Little Snake Field Office management area boundary, all of which occur in Colorado. There are no federal Class I areas in Utah or Wyoming within 100 km of the area boundary. There are no non-attainment areas that would be affected by either alternative.

Environmental Consequences, both alternatives: Activities associated with grazing that may affect air quality, namely dust and exhaust from ranch operation vehicles as well as dust from livestock hoof action, fall below EPA emission standards for the six criteria pollutants of concern (sulfur dioxide, nitrogen oxide, ground-level ozone, carbon monoxide, particulate matter [both PM<sub>2.5</sub> and PM<sub>10</sub>], and lead). Furthermore, ranch operation and livestock activities are not a significant source of these pollutant emissions that do occur in Moffat County. Impacts to air quality caused by either alternative are therefore negligible.

Mitigative Measures: None

Name of specialist and date: Emily Spencer 1/20/10

#### **AREA OF CRITICAL ENVIRONMENTAL CONCERN**

Affected Environment: Not present.

Environmental Consequences, both alternatives: None

Mitigative Measures: None

Name of specialist and date: Kimberly Miller 1/11/10

#### **CULTURAL RESOURCES**

Affected Environment: The issuance of a grazing authorization is an undertaking under Section 106 of the National Historic Preservation Act. During Section 106 review, a cultural resource assessment was completed for the Yampa Allotment #04439 on January 13, 2010 by Robyn Watkins Morris, Little Snake Field Office Archaeologist. The assessment followed the procedures and guidance outlined in the 1980 National Programmatic Agreement Regarding the Livestock Grazing and Range Improvement Program, IM-WO-99-039, IM-CO-99-007, IM-CO-99-019, and IM-CO-01-026. The results of the assessment are summarized in the table below. Copies of the cultural resource assessments are in the field office archaeology files.

Data developed here was taken from the cultural program project report files, site report files, and base maps kept at the Little Snake Field Office as well as from General Land Office (GLO) maps, BLM land patent records, An Overview of Prehistoric Cultural Resources Little Snake Resource Area, Northwestern Colorado, Bureau of Land Management Colorado, Cultural Resources Series, Number 20, and An Isolated Empire, A History of Northwestern Colorado, Bureau of Land Management Colorado, Cultural Resource Series, Number 2 and Appendix 21 of the Little Snake Resource Management Plan and Environmental Impact Statement, Draft February 1986, Bureau of Land Management, Craig, Colorado District, Little Snake Resource Area.

The table below is based on the allotment specific analysis. The table shows known cultural resources, eligible and need data, and those that are anticipated to be in the allotment.

| Allotment Number | Acres Surveyed at a Class III Level | Acres NOT Surveyed at a Class III Level | Percent of Allotment Inventoried at a Class III Level | Eligible or Need Data Sites- Known in Allotment | Estimated Sites for the Allotment *(total number) | Estimated Eligible or Need Data Sites in the Allotment (number) |
|------------------|-------------------------------------|---|---|---|---|---|
| 04439            | 262                                 | 1060                                    | 24%   | 1   | 28  | 8   |

\*Estimates of site densities are based on known inventory data. Estimates should be accepted as minimum figures which may be revised upwards based on future inventory findings.

Eight cultural resource inventories were conducted within the allotment resulting in the complete coverage inventory of 262 acres and the recording of three cultural resources. One site is an historic open architectural site, historic farm, and prehistoric open camp. The GLO plats were reviewed and no cultural resources were identified besides a historic wagon road and U. S. Highway 40.

Based on available data, a high potential for historic properties occurs in this allotment due to its proximity to the Yampa River. 5MF3941, an eligible to then National Register open lithic scatter was revisited in June 2010. Impacts appear to be primarily from recreational artifact hunters. The site should be revisited within five years of the permit to determine if livestock grazing results in impacts to the site.

If historic properties are located during the subsequent field inventory, and BLM determines that grazing activities will adversely impact the properties, mitigation will be identified and implemented in consultation with the Colorado SHPO.

Environmental Consequences, both alternatives: The direct impacts that occur where livestock concentrate, during normal livestock grazing activity, include trampling, chiseling, and churning of site soils, cultural features, and cultural artifacts, artifact breakage, and impacts from standing, leaning, and rubbing against historic structures, above-ground cultural features, and rock art. Indirect impacts include soil erosion, gullying, and increased potential for unlawful collection and vandalism. Continued livestock use in these concentration areas may cause

substantial ground disturbance and cause irreversible adverse effects to historic properties.

A large portion of the BLM lands within the allotment have an eligible National Register site that must be monitored to determine if livestock impacts increase with this permit. Saltblock placement, which creates a concentration area, along roads or anywhere in the allotment would potentially impact historic properties if they are in proximity of the placement.

Standard Stipulations for cultural resources are included in Standard and Common Terms and Conditions (Attachment 2).

Mitigation Measures: None

Name of specialist and date: Robyn Watkins Morris 6/28/10

## **ENVIRONMENTAL JUSTICE**

Affected Environment: The allotment is located in an area of isolated dwellings. Mining, oil and gas development, and ranching are the primary economic activities.

Environmental Consequences, both alternatives: No populations would be affected by physical or socioeconomic impacts of either alternative. Neither alternative would directly affect the social, cultural or economic well-being and health of Native American, minority or low-income populations.

Mitigative Measures: None

Name of specialist and date: Louise McMinn 1/15/10

## **FLOOD PLAINS**

Affected Environment: There are no flood plains present on public lands within the Yampa Allotment.

Environmental Consequences, both alternatives: None

Mitigative Measures: None

Name of specialist and date: Emily Spencer 1/21/10

## **INVASIVE, NONNATIVE SPECIES**

Affected Environment: Invasive and noxious weeds occur within the allotment. Cheatgrass and alyssum are both found on BLM land within the allotment. These are annual invasive species common in the western part of Moffat County which spread into disturbed or resource stressed areas. Additional invasive species of concern in the vicinity include white top, Canada

thistle, scotch thistle, and other biennial thistles. These species are less likely to establish in undisturbed upland sites. Weed infestation can also occur from vehicles, animals, or wind carrying seed in from other areas. The BLM is in cooperation with Moffat County's Cooperative Weed Management program to control noxious weeds on public lands. Principals of Integrated Pest Management are employed to control noxious weeds on public lands.

Environmental Consequences, both alternatives: The impact of invasive or noxious weed establishment is very similar under either alternative. Vehicular access to public lands for dispersed recreation, hunting, grazing operations, livestock and wildlife movement, as well as wind and water, can cause weeds to spread into new areas. Surface disturbance from livestock concentration and human activities associated with grazing operations can also increase weed presence. The largest concern in the allotment would be for biennial and perennial noxious weeds to establish and not be detected. Once an infestation is detected it could be controlled with various IWM techniques. Land practices and land uses by the livestock operator and their weed control efforts and awareness would largely determine the identification and potential occurrence of weeds within the allotment.

Mitigative Measures: None

Name of specialist and date: Christina Rhyne 1/12/10

## **MIGRATORY BIRDS**

Affected Environment: Public lands within the Yampa Allotment consist primarily of sagebrush and juniper-dominated habitats. These lands provide nesting habitats for Brewer's sparrow and sage sparrow. Both species are listed on the USFWS's 2008 Birds of Conservation Concern List. Golden eagles nest on public lands adjacent to the Yampa Allotment. It is likely that Golden eagles use public lands within this allotment for hunting activities. The vegetative community is in good condition, providing suitable and productive habitat for migratory bird species.

Environmental Consequences, both alternatives: Although this allotment is currently vacant, the proposed stocking rate is lower than that which was permitted prior to 1993. A lower stocking rate would help ensure that the vegetative community remains in good condition and is able to provide productive habitat for Brewer's sparrow, sage sparrow, and golden eagles. The proposed grazing system would not interfere with golden eagles' use of the allotment for hunting. Because Brewer's sparrow and sage sparrow nest at least partially during the proposed grazing season, it is possible that livestock could trample nests of these species, although the potential for this to occur is low.

Mitigative Measures: None

Name of specialist and date: Timothy Novotny 1/20/10

## **NATIVE AMERICAN RELIGIOUS CONCERNS**

A letter was sent to the Eastern Shoshone, Uinta and Ouray Tribal Council, Southern Ute Tribal Council, Ute Mountain Ute Tribal Council on May 26, 2009. The letter listed the FY2010 projects that the BLM would notify them on and projects that would not require notification. A followup phone call was performed on July 26, 2009. No comments were received (Letter on file at the Little Snake Field Office). This project requires no additional notification.

Name of specialist and date: Robyn Watkins Morris 6/28/10

## **PRIME & UNIQUE FARMLANDS**

Affected Environment: Not present.

Environmental Consequences, both alternatives: None

Mitigative Measures: None

Name of specialist and date: Hunter Seim 1/11/10

## **T&E AND SENSITIVE ANIMALS**

Affected Environment: The Yampa River has been designated as Critical Habitat for the Colorado pikeminnow, a federally endangered species. The Yampa River forms a portion of the western boundary of the Yampa Allotment. There are no lands managed by the BLM along the Yampa River within this allotment. There are no other threatened, endangered, or special status species or habitats for such species within this allotment.

Environmental Consequences, both alternatives: Livestock grazing on private lands that border the Yampa River within this allotment is outside of the BLM's control. The issuance of a grazing permit for public lands within this allotment would not impact habitats for threatened, endangered or special status animal species.

Mitigative Measures: None

Name of specialist and date: Timothy Novotny 1/20/10

## **T&E AND SENSITIVE PLANTS**

Affected Environment: There are no federally listed threatened or endangered or BLM sensitive plant species present on the Yampa Allotment.

Environmental Consequences, both alternatives: None

Mitigative Measures: None

Name of specialist and date: Hunter Seim 1/11/10

## **WASTES, HAZARDOUS OR SOLID**

Affected Environment: There are no hazardous wastes present on the allotment.

Environmental Consequences, both alternatives: Potential releases of hazardous materials could occur due to vehicular access for livestock management operations. Coolant, oil, and fuel are materials that could potentially be released. Due to the limited amount of vehicular activity that would be required, the potential for releases of any of these materials is low and if a release were to occur, it would be minimal and highly localized and not result in an adverse impact to the allotment.

Mitigative Measures: None

Name of specialist and date: Hunter Seim 1/11/10

## **WATER QUALITY - GROUND**

Affected Environment: The allotment overlies ground water aquifer containing meteoric water. The ground water quality throughout the area ranges from potable to useable in aquifers within porous and fractured formations, mostly sandstone.

Environmental Consequences, both alternatives: Due to the limited amount of livestock grazing and dispersal of livestock over a relatively large area, there would be no impact to ground water quality by grazing on this allotment.

Mitigative Measures: None

Name of specialist and date: Marty O'Mara 2/1/10

## **WATER QUALITY - SURFACE**

Affected Environment: Two unnamed tributaries to the Yampa River flow through public lands in this allotment. All tributaries to this segment of the Yampa River (from its confluence with Elkhead Creek to just below its confluence with the Little Snake River) are use protected and must support the beneficial uses of Aquatic Life Warm 2, Recreation N, and Agriculture. Both unnamed tributaries flow into the Yampa River within ¼ mile of public lands. The Yampa River in this area must support the beneficial uses of Aquatic Life Warm 1, Recreation E, Water Supply, and Agriculture. As of 2008, the Yampa River segment in this area (from Lay Creek to Green River) is on the Colorado Department of Public Health and Environment's (CDPHE) Section 303(d) list of Water Quality Limited Segments because of a high priority iron impairment (CDPHE 2008). This segment is also on CDPHE's Monitoring and Evaluation List for a suspected water quality problem regarding sediment load (CDPHE 2008).

Environmental Consequences, both alternatives: The allotment's tributaries are currently supporting classified uses. Permitting livestock grazing as proposed is consistent with land uses throughout the Lay Creek watershed and would not result in changes to water quality. The season of use and proposed stocking rate would not compromise soil stability and vegetation community health that might otherwise contribute to sediment issues of nearby surface waters. Grazing would not further exacerbate the elevated levels of iron.

Mitigative Measures: None

Name of specialist and date: Emily Spencer 1/25/10

## **WETLANDS/RIPARIAN ZONES**

Affected Environment: There are no wetlands or riparian areas on public lands within the Yampa allotment.

Environmental Consequences, both alternatives: None

Mitigative Measures: None

Name of specialist and date: Emily Spencer 1/20/10

## **WILD & SCENIC RIVERS**

Affected Environment: Not present.

Environmental Consequences, both alternatives: None

Mitigative Measures: None

Name of specialist and date: Kimberly Miller 1/11/10

## **WSAs, WILDERNESS CHARACTERISTICS**

Affected Environment: Not present.

Environmental Consequences, both alternatives: None

Mitigative Measures: None

Name of specialist and date: Kimberly Miller 1/11/10

## **NON-CRITICAL ELEMENTS**

### **SOILS**

Affected Environment: Table 1 describes the major soil groups included within the BLM portion of the Yampa Allotment. Surface soil characteristics are relatively stable with a good grass canopy to help protect from accelerated erosion. There is evidence of slight erosion in the form of gullies, pedestals, flow patterns, or compaction. The main hazard for all soil types is the risk of erosion unless close-growing plants plant cover is maintained. Biological soil crusts are present where appropriate and intact.

**Table 1. Soil Summary for the Yampa Allotment #4439**

| <b>Soil Map Unit (MU) &amp; Soil Name<br/>(Acres in Allot.)</b>             | <b>Map Unit Setting</b>  | <b>Description</b>   |
|---|--|--|
| MU 46<br><br>Coyet loamy sand, 12-25% slope<br><br>(~25 acres)              | <u>Elevation:</u> 5,800' – 6,800'<br><br><u>Mean annual precipitation:</u> 11-13"<br><br><u>Ecological Site:</u> Sand Hills      | These soils are excessively drained with moderately rapid permeability and low runoff potential. Available water capacity is low and the soil profile is typically 60 inches deep. Land capability classification states these soils are limited to pasture, rangeland, forestland, or wildlife habitat.         |
| MU 88<br><br>Grieves loamy fine sand, 1 to 12% slopes<br><br>(~25 acres)    | <u>Elevation:</u> 5,800' – 6,800'<br><br><u>Mean annual precipitation:</u> 11-13"<br><br><u>Ecological Site:</u> Sandy Foothills | These soils are somewhat excessively drained with moderately rapid permeability and low runoff potential. Available water capacity is moderate and the soil profile is typically 60 inches deep. Land capability classification states these (nonirrigated) soils require very careful management.               |
| MU 90<br><br>Grieves-Crestman complex, 10 to 40% slopes<br><br>(~130 acres) | <u>Elevation:</u> 6,000' - 7,200'<br><br><u>Mean annual precipitation:</u> 11-12"<br><br><u>Ecological Site:</u> Sandy Foothills | These soils are somewhat excessively drained with moderately rapid permeability and medium runoff potential. Available water capacity is moderate and the soil profile is typically 60 inches deep. Land capability classification states these soils are limited to rangeland, forestland, or wildlife habitat. |

Environmental Consequences, both alternatives: Most of the slopes within the allotment would be accessible for livestock grazing, which is a classified use for the main soil types within the BLM portion of the allotment. Since there are no water sources on the public land parcels, there would be little opportunity for livestock concentration areas to develop that would result in areas of compaction or loss of plant cover that would facilitate erosion, a main hazard for these soils. At the proposed stocking rate of 7.6 acres/AUM on BLM land and the large amount of adjacent private and state land within the allotment, grazing use would maintain sufficient plant cover to both protect the soil surface from wind and water erosion and allow the plant community to continue to produce litter in sufficient amounts to maintain a healthy organic layer

and sustain appropriate water permeability.

Mitigative Measures: None

Name of specialist and date: Emily Spencer 1/25/10

## UPLAND VEGETATION

Affected Environment: The allotment is dominated by sagebrush-grass and juniper woodland plant communities. Dominant plants present include Wyoming big sagebrush (*Artemisia tridentata wyomingensis*), green rabbitbrush (*Chrysothamnus viscidiflorus*), Utah juniper (*Juniperus utahensis*), prickly pear (*Opuntia* spp.), winterfat (*Euphorbia lanata*), Hood's phlox (*Phlox hoodii*), streambank wheatgrass (*Elymus lanceolatus*), bluebunch wheatgrass (*Agropyron spicatum*), needleandthread (*Stipa comata*), Indian ricegrass (*Oryzopsis hymenoides*), prairie junegrass (*Koeleria pyramidata*), and Sandberg bluegrass (*Poa sandbergii*).

Overall, the plant community is healthy and providing the values of wildlife habitat, livestock forage, and watershed protection. Grass density and abundance is good, though there is some decadence of the shrub component. Some cheatgrass (*Bromus tectorum*) is present, primarily on south facing slopes, but it is not overly abundant.

Environmental Consequences, Proposed Action: Livestock grazing as proposed would occur during the spring growing period. Grazing on forage plants in the spring, when plants are using their limited carbohydrate reserves to produce leaves, can result in diminished vigor and mortality, particularly if stocking rates are high and result in growing plants being subject to repeated defoliations. During late spring, forage plants are also very high in protein and moisture content, resulting in high palatability and good livestock gains which can result in better distribution of livestock and fewer areas of concentrated use.

Proper stocking rates during the spring are essential to ensuring that growing forage plants are not adversely affected, especially so when there is no particular rotation or prescription for periodic rest. Since there is no livestock water present on the public lands within the allotment, there are no areas that would be subject to concentrated livestock grazing. Spring grazing, as proposed, would not result in grazing pressure that would result in repeated defoliations that would suppress desirable forage species.

Environmental Consequences, both alternatives: Public lands within this allotment experience high levels of herbivory from elk, particularly between late fall and early spring. This would continue under either alternative.

Mitigative Measures: None

Name of specialist and date: Hunter Seim 1/25/10

## WILDLIFE, AQUATIC

Affected Environment: There is no aquatic wildlife habitat on BLM managed lands within the Yampa Allotment.

Environmental Consequences, both alternatives: None

Mitigative Measures: None

Name of specialist and date: Timothy Novotny 1/20/10

## WILDLIFE, TERRESTRIAL

Affected Environment: The Yampa Allotment provides year-round habitats for mule deer, elk, and pronghorn antelope, including severe winter range. A variety of small mammals, songbirds, and reptiles may also be found within this allotment at various times of the year. The vegetative community is in good condition, providing suitable and productive habitat for wildlife species.

Environmental Consequences, both alternatives: The proposed permit would allow for a stocking rate that is light enough to ensure that the vegetative community remains in good condition and is able to provide productive habitat to big game animals throughout the entire year. The proposed grazing would not have negative impacts on habitats for small mammals, songbirds and reptiles.

Mitigative Measures: None

Name of specialist and date: Timothy Novotny 1/20/10

**OTHER NON-CRITICAL ELEMENTS:** For the following elements, those brought forward for analysis will be formatted as shown above.

| Non-Critical Element   | NA or Not Present | Applicable or Present, No Impact | Applicable & Present and Brought Forward for Analysis |
|------------------------|-------------------|----------------------------------|---|
| Fluid Minerals         |                   | EMO 2/1/10                       |   |
| Forest Management      | JHS<br>1/11/10    |                                  |   |
| Hydrology/Ground       |                   | EMO 2/1/10                       |   |
| Hydrology/Surface      |                   | ELS 1/25/10                      |   |
| Paleontology           |                   | EMO 2/1/10                       |   |
| Range Management       |                   | JHS 1/11/10                      |   |
| Realty Authorizations  |                   | LM 1/15/10                       |   |
| Recreation/Travel Mgmt |                   | KMM 1/11/10                      |   |
| Socio-Economics        |                   | LM 1/15/10                       |   |

|                         |                |             |  |
|-------------------------|----------------|-------------|--|
| Solid Minerals          |                | JAM 1/11/10 |  |
| Visual Resources        |                | KMM 1/11/10 |  |
| Wild Horse & Burro Mgmt | JHS<br>1/11/10 |             |  |

**CUMULATIVE IMPACTS SUMMARY:** This allotment and areas surrounding have historically been grazed by both sheep and cattle. Numerous maintained and unmaintained roads exist throughout the area. These roads are used regularly by local residents and ranchers as well by as the primary recreation users in the area, hunters. Wildlife populations in the area are high, especially for elk that compete with livestock for available forage throughout the area. The primary impacts from all of these activities are most immediately seen in the presence of roads, cultivation on private lands, and weed presence. The proposed action to continue grazing on this allotment is compatible with other uses, both historic and present, and would not add any new or detrimental impacts to those that are already present.

## **STANDARDS**

**PLANT AND ANIMAL COMMUNITY (animal) STANDARD:** The vegetative community is in good condition, providing suitable and productive habitat for numerous wildlife species. This alternative is currently being met. Neither alternative would degrade wildlife habitat or preclude this standard from being met.

Name of specialist and date: Timothy Novotny 1/20/10

**SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (animal) STANDARD:** There are no threatened, endangered or special status species or habitats for such species on public lands within the Yampa Allotment. This standard does not apply.

Name of specialist and date: Timothy Novotny 1/20/10

**PLANT AND ANIMAL COMMUNITY (plant) STANDARD:** The plant communities within this allotment exhibit appropriate levels of vigor, diversity, and productivity. These communities contain the characteristics that allow them to be resilient to disturbance and the ability to provide wildlife habitat, livestock forage, and watershed protection. Allowing for grazing use under either the Proposed Action or under a future grazing application would continue to allow this standard to be met.

Name of specialist and date: Hunter Seim 1/11/10

**SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (plant) STANDARD:** There are no federally listed threatened or endangered or BLM sensitive plant species present on the Yampa Allotment. This standard does not apply.

Name of specialist and date: Hunter Seim 1/11/10

**RIPARIAN SYSTEMS STANDARD:** There are no riparian areas present on BLM public lands in the Yampa allotment. This standard does not apply.

Name of specialist and date: Emily Spencer 1/25/10

**WATER QUALITY STANDARD:** The majority of runoff waters from this allotment flow into the Yampa River and unnamed tributaries of the Yampa River. The Yampa River in this area is listed as impaired for elevated levels of iron and on a monitoring list for sediment. It is not certain what the sources of the iron or sediment are. Otherwise, the water quality of the Yampa River is presently supporting classified uses. Permitting livestock grazing on this allotment is consistent with land uses throughout the Spring Creek watershed and would not result in changes to this circumstance. Either alternative would meet this standard.

Name of specialist and date: Emily Spencer, 1/25/10

**UPLAND SOILS STANDARD:** This standard is currently being met. The soils on this allotment are relatively stable and are supporting a vigorous plant community with good grass cover. The soils are generally deep and well drained. Grazing use as proposed would allow the plant community to continue to provide adequate cover and organic material production necessary to maintain the continued stability of the soils. Either alternative would meet this standard.

Name of specialist and date: Emily Spencer, 1/25/10

**PERSONS/AGENCIES CONSULTED:** Uintah and Ouray Tribal Council, Colorado Native American Commission, Colorado State Historic Preservation Office, Darryl Steele.

**ATTACHMENTS:** Attachment 1, Allotment Map  
Attachment 2, Standard and Common Terms and Conditions

**SIGNATURE OF PREPARER:**

**DATE SIGNED:**

**SIGNATURE OF ENVIRONMENTAL REVIEWER:**

**DATE SIGNED:**

### **Finding of No Significant Impact**

The environmental assessment, analyzing the environmental effects of the proposed action, has been reviewed. With the implementation of the attached mitigation measures there is a finding of no significant impact on the human environment. Therefore, an environmental impact statement is not necessary to further analyze the environmental effects of the proposed action.

1. Beneficial, adverse, direct, indirect, and cumulative environmental impacts have been disclosed in the EA. Analysis indicated no significant impacts on society as a whole, the affected region, the affected interests or the locality. The physical and biological effects are limited to the Little Snake Resource Area and adjacent land.
2. Public health and safety would not be adversely impacted. There are no known or anticipated concerns with project waste or hazardous materials.
3. There would be no adverse impacts to regional or local air quality, prime or unique farmlands, known paleontological resources on public land within the area, wetlands, floodplain, areas with unique characteristics, ecologically critical areas or designated Areas of Critical Environmental Concern.
4. There are no highly controversial effects on the environment.
5. There are no effects that are highly uncertain or involve unique or unknown risk. Sufficient information on risk is available based on information in the EA and other past actions of a similar nature.
6. This alternative does not set a precedent for other actions that may be implemented in the future to meet the goals and objectives of adopted Federal, State or local natural resource related plans, policies or programs.
7. No cumulative impacts related to other actions that would have a significant adverse impact were identified or are anticipated.
8. Based on previous and ongoing cultural surveys, and through mitigation by avoidance, no adverse impacts to cultural resources were identified or anticipated. There are no known American Indian religious concerns or persons or groups who might be disproportionately and adversely affected as anticipated by the Environmental Justice Policy.
9. No adverse impacts to any threatened or endangered species or their habitat that was determined to be critical under the Endangered Species Act were identified. If, at a future time, there could be the potential for adverse impacts, treatments would be modified or mitigated not to have an adverse effect or new analysis would be conducted.
10. This alternative is in compliance with relevant Federal, State, and local laws, regulations, and requirements for the protection of the environment.

**SIGNATURE OF AUTHORIZED OFFICIAL:**

**DATE SIGNED:**

**ATTACHMENT #2**  
**DOI-BLM-CO-N010-2010-0043-EA**  
**TERMS AND CONDITIONS**

**Standard Terms and Conditions**

- 1) Grazing permit or lease terms and conditions and the fees charged for grazing use are established in accordance with the provisions of the grazing regulations now or hereafter approved by the Secretary of the Interior.
- 2) They are subject to cancellation, in whole or in part, at any time because of:
  - a. Noncompliance by the permittee/lessee with rules and regulations;
  - b. Loss of control by the permittee/lessee of all or a part of the property upon which it is based;
  - c. A transfer of grazing preference by the permittee/lessee to another party;
  - d. A decrease in the lands administered by the Bureau of Land Management within the allotment(s) described;
  - e. Repeated willful unauthorized grazing use;
  - f. Loss of qualifications to hold a permit or lease.
- 3) They are subject to the terms and conditions of allotment management plans if such plans have been prepared. Allotment management plans **MUST** be incorporated in permits and leases when completed.
- 4) Those holding permits or leases **MUST** own or control and be responsible for the management of livestock authorized to graze.
- 5) The authorized officer may require counting and/or additional or special marking or tagging of the livestock authorized to graze.
- 6) The permittee's/lessee's grazing case file is available for public inspection as required by the Freedom of Information Act.
- 7) Grazing permits or leases are subject to the nondiscrimination clauses set forth in Executive Order 11246 of September 24, 1964, as amended. A copy of this order may be obtained from the authorized officer.
- 8) Livestock grazing use that is different from that authorized by a permit or lease **MUST** be applied for prior to the grazing period and **MUST** be filed with and approved by the authorized officer before grazing use can be made.
- 9) Billing notices are issued which specify fees due. Billing notices, when paid, become a part of the grazing permit or lease. Grazing use cannot be authorized during any period of delinquency in the payment of amounts due, including settlement for unauthorized use.

- 10) Grazing fee payments are due on the date specified on the billing notice and MUST be paid in full within 15 days of the due date, except as otherwise provided in the grazing permit or lease. If payment is not made within that time frame, a late fee (the greater of \$25 or 10 percent of the amount owed but not more than \$250) will be assessed.
- 11) No member of, or Delegate to, Congress or Resident Commissioner, after his/her election of appointment, or either before or after he/she has qualified, and during his/her continuance in office, and no officer, agent, or employee of the Department of Interior, other than members of Advisory committees appointed in accordance with the Federal Advisory Committee Act (5 U.S.C. App. 1) and Sections 309 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) shall be admitted to any share or part in a permit or lease, or derive any benefit to arise therefrom; and the provision of Section 3741 Revised Statute (41 U.S.C. 22), 18 U.S.C. Sections 431-433, and 43 CFR Part 7, enter into and form a part of a grazing permit or lease, so far as the same may be applicable.

### **Common Terms and Conditions**

- A) Grazing use will not be authorized in excess of the amount of specified grazing use (AUM number) for each allotment. Numbers of livestock annually authorized in the allotment(s) may be more or less than the number listed on the permit/lease within the grazing use periods as long as the amount of specified grazing use is not exceeded.
- B) Unless there is a specific term and condition addressing utilization, the intensity of grazing use will insure that no more than 50% of the key grass species and 40% of the key browse species current years growth, by weight, is utilized at the end of the grazing season for winter allotments and the end of the growing season for allotments used during the growing season. Application of this term needs to recognize recurring livestock management that includes opportunity for regrowth, opportunity for spring growth prior to grazing, or growing season deferment.
- C) Failure to maintain range improvements to BLM standards in accordance with signed cooperative agreements and/or range improvement permits may result in the suspension of the annual grazing authorization, cancellation of the cooperative agreement or range improvement permit, and/or the eventual cancellation of this permit/lease.
- D) Storing or feeding supplemental forage on public lands other than salt or minerals must have prior approval. Forage to be fed or stored on public lands must be certified noxious weed-free. Salt and/or other mineral supplements shall be placed at least one-quarter mile from water sources or in such a manner as to promote even livestock distribution in the allotment or pasture.

- E) Pursuant to 43 CFR 10.4(g), the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.

The operator is responsible for informing all persons who are associated with the allotment operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are encountered or uncovered during any allotment activities or grazing activities, the operator is to immediately stop activities in the immediate vicinity and immediately contact the authorized officer. Within five working days the authorized officer will inform the operator as to:

- whether the materials appear eligible for the National Register of Historic Places;
- the mitigation measures the operator will likely have to undertake before the identified area can be used for grazing activities again.

If paleontological materials (fossils) are uncovered during allotment activities, the operator is to immediately stop activities that might further disturb such materials and contact the authorized officer. The operator and the authorized officer will consult and determine the best options for avoiding or mitigating paleontological site damage.

- F) No hazardous materials/hazardous or solid waste/trash shall be disposed of on public lands. If a release does occur, it shall immediately be reported to this office at (970) 826-5000.
- G) The permittee/lessee shall provide reasonable administrative access across private and leased lands to the BLM and its agents for the orderly management and protection of public lands.
- H) Application of a chemical or release of pathogens or insects on public lands must be approved by the authorized officer.
- I) The terms and conditions of this permit may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.